

FILED
Am 13
JUN 15 2017
CATHY S. RATTEN, CLERK
KANAWHA COUNTY CIRCUIT COURT

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

VIRGINIA DRILLING COMPANY, LLC,

Plaintiff,

v.

CIVIL ACTION NO. 17-C- 1130

JUSTICE LOW SEAM MINING, INC.,

Salut

Defendant.

COMPLAINT

NOW COMES the Plaintiff, Virginia Drilling Company, LLC, and for its complaint, states as follows:

1. The Plaintiff, Virginia Drilling Company, LLC, (hereinafter "Plaintiff"), is a Delaware Corporation with its principal place of business in Virginia.
2. The Defendant, Justice Low Seam Mining, Inc. is a domestic corporation with its principle place of business outside of the State of West Virginia.
3. Venue is proper in the Circuit Court Kanawha County, West Virginia pursuant to West Virginia Code §56-1-1(b)
4. The Plaintiff and Dyno Corporation supplied goods and services to the Defendant at its mining operations in the State of West Virginia.
5. Dyno Corporation has assigned all its accounts receivables, including receivables owed by the Defendant to the Plaintiff herein.
6. To date, Defendant has due and owing to the Plaintiff Two Hundred Seventy-Eight Thousand Eight Hundred Thirty-Two Dollars and Twenty-Six Cents (\$278,832.26) upon this

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account.

7. Although Plaintiff has made demand upon the Defendant to liquidate the balance due and owing, the Defendant has failed and refused to do so.

WHEREFORE, the Plaintiff demands judgment against the Defendant in the sum certain amount of Two Hundred Seventy-Eight Thousand Eight Hundred Thirty-Two Dollars and Twenty-Six Cents (\$278,832.26), plus interest thereafter on the principal balance and its costs including attorney fees.

VIRGINIA DRILLING COMPANY, LLC,
By Counsel:



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